

SEP - 5 1989

268885

Preliminary Assessment and CERCLA Removal Action Authorization  
for Synkote Paints, Elmwood Park, Bergen County, New Jersey -  
ACTION MEMORANDUM

Dwayne M. Harrington, On-Scene Coordinator  
Response and Prevention Branch

William Muszynski, P.E.  
Acting Regional Administrator

Stephen D. Luftig, Director  
Emergency and Remedial Response Division

I. ISSUE

On February 16, 1989, Dr. John J. Trela, Director, Division of Hazardous Waste Management, State of New Jersey Department of Environmental Protection (NJDEP), requested that the U.S. Environmental Protection Agency (EPA) undertake a Removal Action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), to mitigate the threat posed by drums, containers, and vessels of hazardous substances at the Synkote Paints site in Elmwood Park, New Jersey.

An investigation by EPA confirmed the presence of approximately 300 improperly stored drums, containers, and vessels of hazardous substances at the site. Labels on some of the containers indicate the contents to be predominantly solvents, corrosives, and paint waste solutions. Many of these materials are flammable and/or poisonous and present a threat of fire or vapor release. Many of the drums and vessels are deteriorated and present the potential for human exposure through direct contact or discharge into the environment. Many of these materials are highly toxic, incompatible, and potentially unstable under their present storage conditions. There are reports of break-ins and vandalism at the facility.

These hazardous substances pose a threat to citizens of the community and firefighters who might respond to a fire at the facility. This Action Memorandum recommends that a Removal Action be conducted pursuant to CERCLA, as amended by SARA, in the form of a removal and disposal of the hazardous substances contained in the facility. The total project ceiling for this Removal Action would be \$406,000, of which \$228,000 is for mitigation contracting.

FILE:W/Synkote Paints ✓

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2ERR-RPB 2ERR-RPB 2ERR-ADREPP

HARRINGTON SPRAGUE SALKIE

8/2/89 8/5/89 8/10/89

2ERR-ADEP 2ERR-DD 2ORC-NJSUP 2ERR

PAVLOU

CALLAHAN

KARLEN

LUFTIG

2OEP

RANDOL

2DRA

MARSHALL

2RA

MUSZYNSKI

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8/21/89

9/1/89

9/5/89

9/10

9/1

## II. BACKGROUND

### A. Site Setting/Description:

Synkote Paints manufactured solvent-based industrial coatings from 1956 until the company filed for bankruptcy in 1985. At that time, the building was abandoned and approximately 300 drums, containers, and reactor vessels were abandoned on the site. The property was foreclosed upon by the National Community Bank of New Jersey in 1986 for unpaid mortgage debts and purchased via a sheriff's sale in 1988 by Property Concepts, Inc., Elmwood Park, New Jersey. The building is currently unoccupied.

The site is located in a mixed residential/light industrial area at 144-160 Van Riper Avenue, Elmwood Park, New Jersey (Attachment 1). The site consists of one building of approximately 20,000 square feet, located on a one-half acre lot enclosed by an eight-foot perimeter fence. The site is adjacent to an operating facility and is directly across the street from a residential neighborhood (Attachment 2). Approximately 5,000 people live within a one-half mile radius of the site.

The building consists primarily of two large storage/operations rooms (Attachment 3). The building is accessible through three building entrance doors, two large garage doors, and numerous windows. The current owner of the site has recently boarded the doors and windows of the building as a deterrent against break-ins and vandalism at the site.

### B. Incident/Release Characteristics:

Approximately 300 drums, containers, and vessels are located in the building and throughout the site. Most of the drums are located outside of the building, scattered throughout the site. The drums and containers are haphazardly stored irrespective of their condition or the compatibility of their contents. Many of the drums are deteriorated and have released their contents onto the ground and building floor. The building also contains a small laboratory area containing numerous unsecure containers of acutely toxic, flammable, and corrosive materials.

Evidence of past spills and ongoing releases from deteriorated drums, including liquid stains and residues, exist throughout the building. Air monitoring performed during EPA's investigation detected levels of organic air contaminants above background in some areas of the building. Soil sampling performed by NJDEP in 1988 confirmed surficial soil contamination and the need for further soil investigations throughout the site.

To date no sampling or analysis of the materials on the site has been performed by EPA.

This site is not listed on the National Priorities List (NPL).

C. Quantities and Types of Substances Present:

Approximately 300 drums, containers, and reactor vessels of hazardous substances are stored on the site. Based on information obtained from container labels and drum inventories during EPA's investigation, the following substances have been tentatively identified on site:

<u>Compound</u>	<u>Statutory Source for Designation as Hazardous Substances</u>
Benzene	CWA §311 (b) (4) CWA §307 (a) CAA §112 RCRA §3001
Toluene	CWA §311 (b) (4) CWA §307 (a) RCRA §3001
Xylene	CWA §311 (b) (4)
Epichlorohydrin*	CWA §311 (b) (4)
Diethanolamine	RCRA §3001
Glacial Acetic Acid	CWA §311 (b) (4)
Isophorone	CWA §311 (b) (4)

\* Listed in Chemical Emergency Preparedness Program List 402 of Extremely Hazardous Substances

These hazardous substances are acutely toxic, chronically toxic, corrosive, reactive, and/or flammable.

The potential health effects from the compounds are identified below:

POTENTIAL HEALTH AND TOXICOLOGICAL EFFECTS

	Carcinogenicity	Liver Damage	Kidney Damage	Respiratory Damage	Central Nervous System Damage	Dermal Effects	Cardiovascular Effects
Benzene	X			X	X	X	X
Toluene		X	X		X	X	
Xylene		X	X		X	X	X
Epichlorohydrin	X		X	X		X	
Diethanolamine				X		X	
Acetic Acid				X		X	
Isophorone				X		X	

Many of the drums on the site are unlabelled and contain unidentified substances.

D. State and Local Authorities' Roles:

The NJDEP issued a Directive to Synkote Paints in 1985 with which the owner of the facility was unable to comply. Limited action was taken by the PRP via a contractor at that time to stabilize and secure conditions at the site and remove hazardous materials from the site. Some of the materials were consolidated and overpacked, however, work ceased on the site prior to any of the materials being removed or disposed of. On February 16, 1989, Dr. John J. Trela, Director, Division of Hazardous Waste Management, NJDEP, requested that EPA perform a CERCLA/SARA Removal Action at the Synkote Paints site as the site appeared to present a significant threat to public health and welfare and was beyond the scope of their current removal program capabilities. The current owner of the site, Property Concepts Inc., has taken steps to secure the site from unauthorized entry. Based on conditions found on the site EPA has recommended to the Elmwood Park Police Department and Bergen County Hazardous Materials Unit that the site be routinely surveilled.

### III. THREAT TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT:

#### A. Threats to Public Health or Welfare:

The primary threat posed by the abandoned drums, containers, and vessels is that of exposure through direct human contact, fire, explosion, and vapor exposure caused by a reaction of the hazardous materials. A site inspection by EPA found that the drums and containers are haphazardly stored irrespective of their contents or condition. Most of the drums are located outside of the building, scattered throughout the site. Many of the drums are deteriorating and have released their contents onto the building floor or ground. Many of the materials identified are flammable, corrosive, and/or acutely toxic. Some of these materials, such as organic solvents, epichlorohydrin, and metallic powders, can potentially autoignite and/or produce toxic vapors and fumes if mixed.

The building is adjacent to an operating facility and a residential neighborhood. Vapors produced during a fire or runaway chemical reaction could be hazardous to area residents and workers at the neighboring facility. It would also be difficult for firefighters to avoid contamination from smoke and fumes during firefighting efforts. Conventional firefighting techniques might only serve to aggravate the situation by increasing the reactivity and vapor production of many of the substances during a fire or runaway chemical reaction at the site.

There is potential for human exposure from direct contact with the hazardous substances at the site. There are reports of break-ins and vandalism at the site, however, EPA has yet to confirm these reports. Some of the hazardous substances on site, such as epichlorohydrin, are highly toxic on contact. Some of the substances, such as benzene and epichlorohydrin, are known or suspected carcinogens.

#### B. Threats to the Environment:

There is potential for discharge into the environment. Many of the drums are deteriorated and have released their contents onto the building floor or ground. There are no secondary containment structures surrounding any of the drums or vessels on the site. Analysis by NJDEP indicates soil contamination on the site and a potential for groundwater contamination.

#### IV. ENFORCEMENT

Four potentially responsible parties (PRPs) have been identified for the Synkote Paints site. They are: Synkote Paints, Mr. Richard E. Max, (former owner and operator of Synkote from the mid-1970s until its filing for bankruptcy and closing in 1985); National Community Bank of New Jersey, (who foreclosed on a mortgage on the property in 1985); and Property Concepts Inc., (who purchased the property from National Community Bank via a sheriff's sale in 1988). The New Jersey Site Compliance Branch and Office of Regional Counsel have issued Notice Letters, dated April 25, 1989, to Synkote Paints, Mr. Richard Max, The National Community Bank of New Jersey (NCB), and Property Concepts Inc., (PCI).

Mr. Richard Max, through his attorney, has expressed no interest in performing a removal action. NCB has denied any liability. A Consent Order for the removal of all hazardous materials from the site has been sent to Property Concepts Inc for its consideration. If that fails, a Unilateral Order directing the removal of all hazardous substances may be issued to Property Concepts Inc. prior to any EPA actions on the site. At this time, however, it appears unlikely that PCI will be able to adequately comply with the terms of either the Consent or Unilateral Order. Appropriate enforcement actions, including full or partial cost recovery and/or an Order requiring further investigation of soil contamination at the site, may be pursued under CERCLA/SARA following the completion of this Removal Action.

#### V. PROPOSED PROJECT AND COST

##### A. Objective of the Project:

The objective of this project is: 1) to abate the actual or potential threat to public health and welfare; 2) to immediately mitigate the actual or potential threat of fire, explosion, or release of hazardous substances into the environment in accordance with Section 300.65 of the National Contingency Plan; and 3) to remove and dispose of the hazardous substances at the site in accordance with the Resource Conservation and Recovery Act (RCRA) and EPA's CERCLA Off-Site Treatment, Storage, and Disposal Policy, Section 121 (d)(3) of SARA.

The objective will be achieved by performing the following tasks:

##### 1) Securing Drums and Containers:

Leaking or unsecure drums and containers will be overpacked as necessary. All materials will be stored on site in a secured area.

2) Segregation and Sampling:

Materials will be segregated on site by existing identification labels and container condition to ensure proper separation of incompatible materials. Materials will be sampled as needed for disposal purposes.

Manufacturers and others will be solicited to reclaim drums and containers which appear to contain useable product for recycling and reuse.

3) Bulking, Transportation and Disposal:

Compatible materials will be bulked as necessary for transportation and disposal. Manufacturers which can be identified will be contacted to reclaim those materials that can be reused or recycled. EPA will dispose of unusable or non-recyclable materials at an approved facility and in accordance with EPA's CERCLA off-site disposal policies.

B. Project Estimated Costs:

1) Mitigation Contracting (ERCS):

a. Labor: including mobilization/demobilization, sampling, segregation, staging, and overpacking.

(1 Response Manager, 1 Chemist, 1 Foreman,  
1 Operator, 2 Clean-up Tech's, 1 Field Clerk) \$ 40,000

b. Equipment: 1 decontamination trailer, 1 forklift,  
Level B personal protective gear, non-spark tools,  
etc. \$ 25,000

c. Materials and field purchases: (overpack  
drums, sampling materials, etc.) \$ 25,000

d. Laboratory disposal analysis: \$ 40,000

e. Transportation and disposal \$ 60,000  
SUBTOTAL \$190,000

20% Contingency \$ 38,000

SUBTOTAL (Contract Mitigation Costs) \$228,000

2) Intramural EPA Costs \$ 50,000

3) Extramural TAT Costs \$ 75,000

SUBTOTAL \$ 353,000

Other Costs (15% of above costs)	\$ 52,950
ESTIMATED TOTAL PROJECT CEILING	\$ 405,950
ESTIMATED ROUNDED TOTAL (to the next \$1000)	\$ 406,000

Overall project costs could be reduced if manufacturers are able to reclaim materials for recycling or reuse.

C. Project Schedule:

The project can be initiated within one week of approval of the request for fund authorization. Segregation, sampling, overpacking, and securing of the drums and containers can be accomplished within three to four weeks. Disposal analyses turn-around time is estimated at four weeks. Final removal and disposal should be complete within nine weeks of receipt of the disposal analysis results. The entire project should therefore take 17 weeks to complete. Notifying and coordinating with manufacturers to reclaim materials could add or delete 2-4 weeks to the project schedule.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD NO ACTION BE TAKEN OR ACTION BE DELAYED

Delayed action in securing and removing the hazardous substances from the site will extend the period of time that nearby residents are exposed to the threats presented by the conditions on the site. There is also the continuing threat of vandalism at the site. During EPA's site investigation, drums were observed which were bulging. This condition may be indicative of contents under abnormally high pressure. Many of the drums are deteriorated and have released or are soon likely to release their contents onto the ground. A delayed response will therefore also likely result in further soil and possibly groundwater contamination.

VII. RECOMMENDATION

Conditions at the Synkote Paints site meet the criteria for a Removal Action under 40 CFR §300.65 (b)(2) of the National Oil and Hazardous Substances Contingency Plan (NCP) in that there exists:

- a) Actual or potential exposure to hazardous substances or pollutants or contaminants by nearby populations, animals, or food chain (40 CFR §300.65 (b)(2)(i));
- b) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release (40 CFR §300.65 (b)(2)(iii));



- c) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released (40 CFR §300.65 (b)(2)(v)).
- d) Threat of fire or explosion (40 CFR §300.65 (b)(2)(vi)).

This Removal Action is consistent with the Section 104(a)(2) of CERCLA, as amended by SARA, in that it will accomplish the efficient performance of long-term remedial measures in the short term. I recommend your approval of this CERCLA removal funding request. The estimated project ceiling for this site is \$406,000, of which \$228,000 is for mitigation contracting. The estimated costs of this project are within the Regional Advice of Allowance for FY '89.

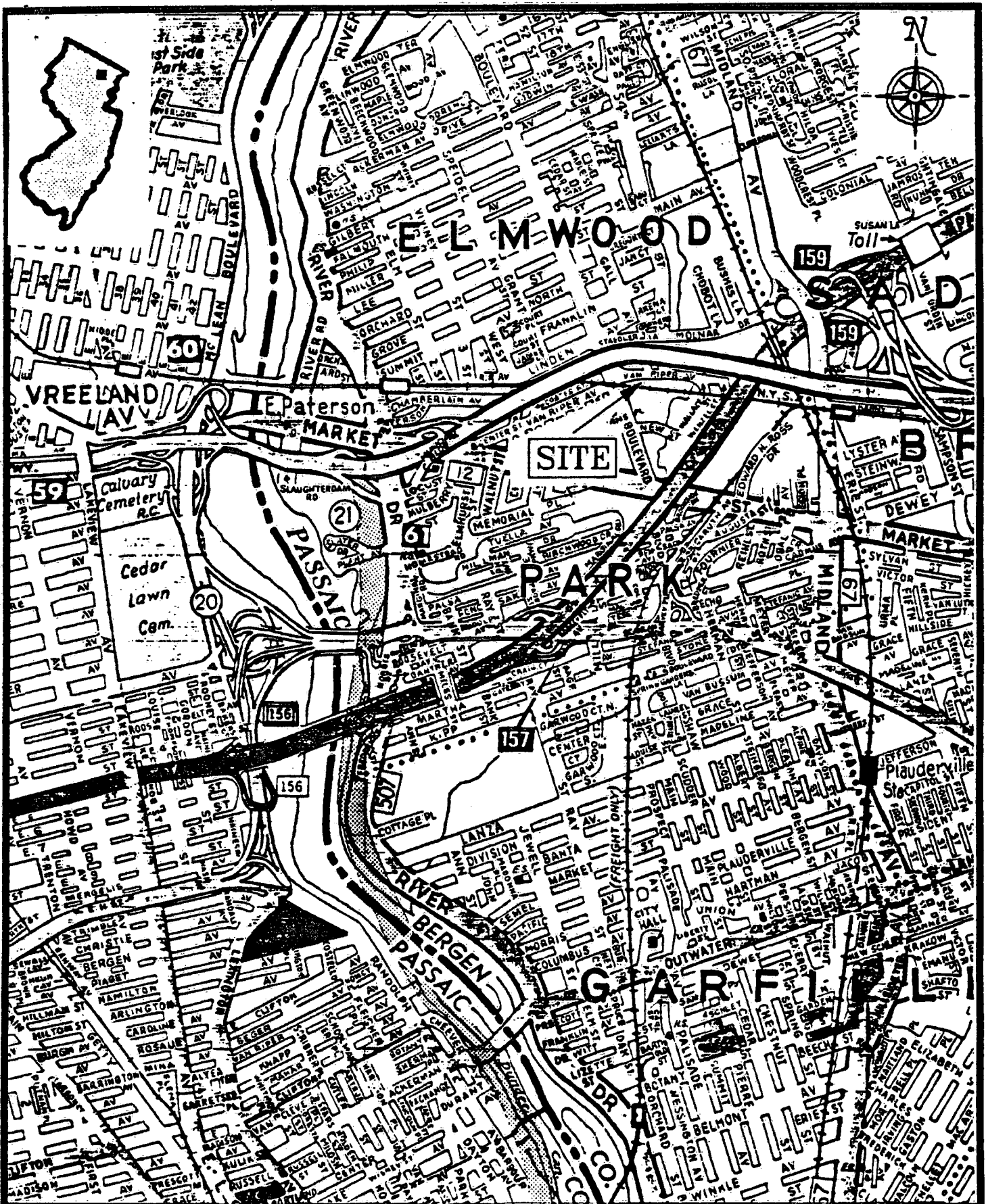
Your authority to approve these project funds is pursuant to Assistant Administrator J. Winston Porter's May 25, 1988, redelegation memorandum, Delegation Number R-14-1-A.

Approval: *William J. Thompson* Date SEP 06 1989

Disapproval: \_\_\_\_\_ Date \_\_\_\_\_

cc: (After approval is obtained)

- R. Salkie, 2ERR-ADREPP
- S. Luftig, 2ERR
- B. Sprague, 2ERR-RPB
- G. Pavlou, 2ERRD-ADEP
- M. Randol, 2OEP
- D. Karlen, 2ORC-NJSUP
- R. Gherardi, 2OPM-FIN
- S. Anderson, PM-214F (EXPRESS MAIL)
- T. Fields, OS-210
- G. McCann, NJDEP
- C. Moyik, 2ERRD-PS
- L. Guarneiri, OS-210
- D. Henne, 2TATL



SPILL PREVENTION &  
EMERGENCY RESPONSE DIVISION

In Association with ICF Technology Inc., C.C. Johnson & Associates, Inc., Resource Applications, Inc., Geo/Resource Consultants, Inc., and Environmental Toxicology International, Inc.

EPA PM

D. Harrington

TAT PM

D. Belyung

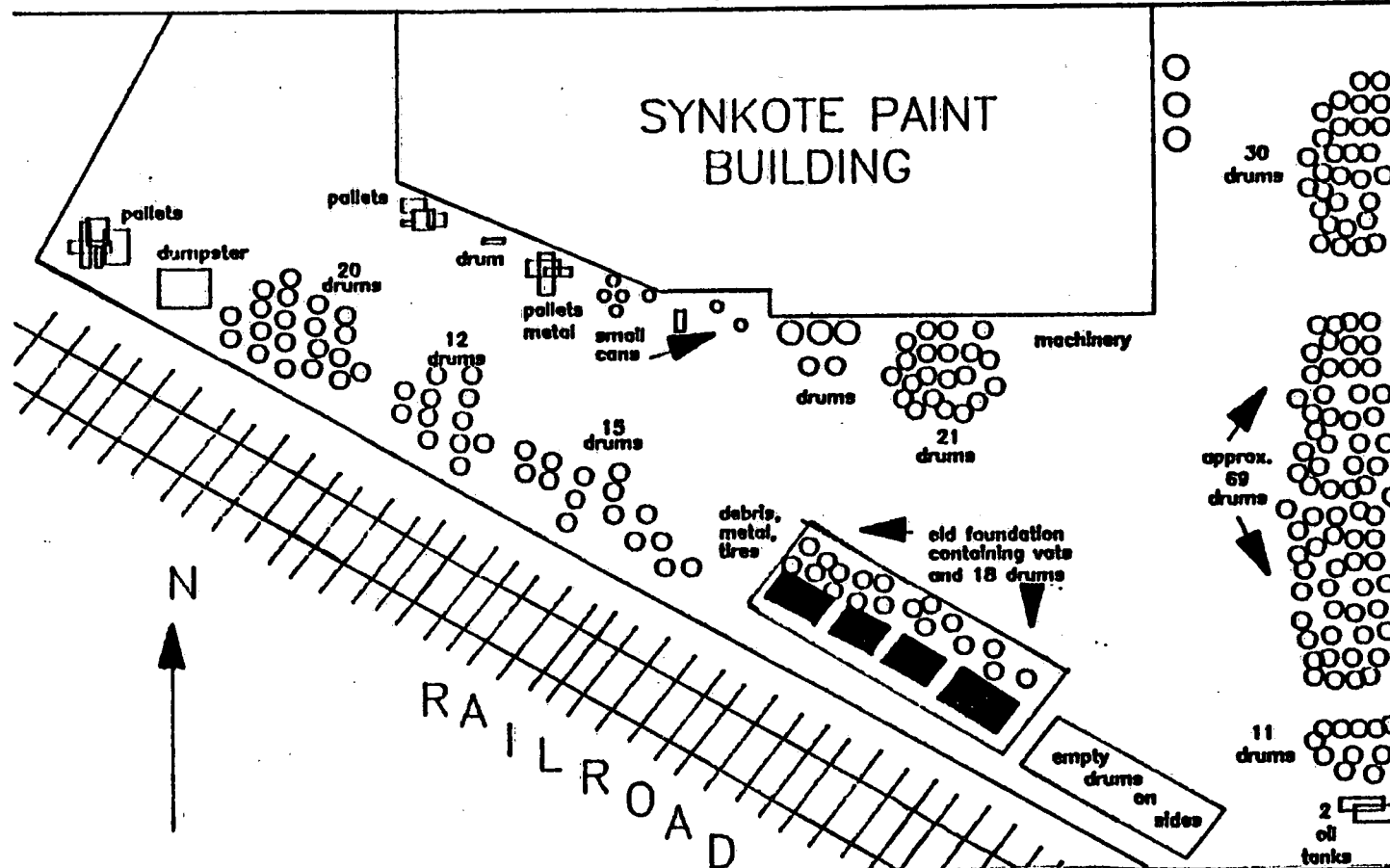
Figure 1  
Site Location

Scale = 3" = 1 mile

# Residential Area

Van Ripper Avenue

SYNKOTE PAINT BUILDING



**WESTON**  
DESIGNERS/CONSULTANTS

SPILL PREVENTION &  
EMERGENCY RESPONSE DIVISION

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EPA PM  
D. Harrington

TAT PM  
D. Belyung

Figure 2  
Site Yard Map

Drawing not to Scale

# LEGEND



55 GAL DRUM



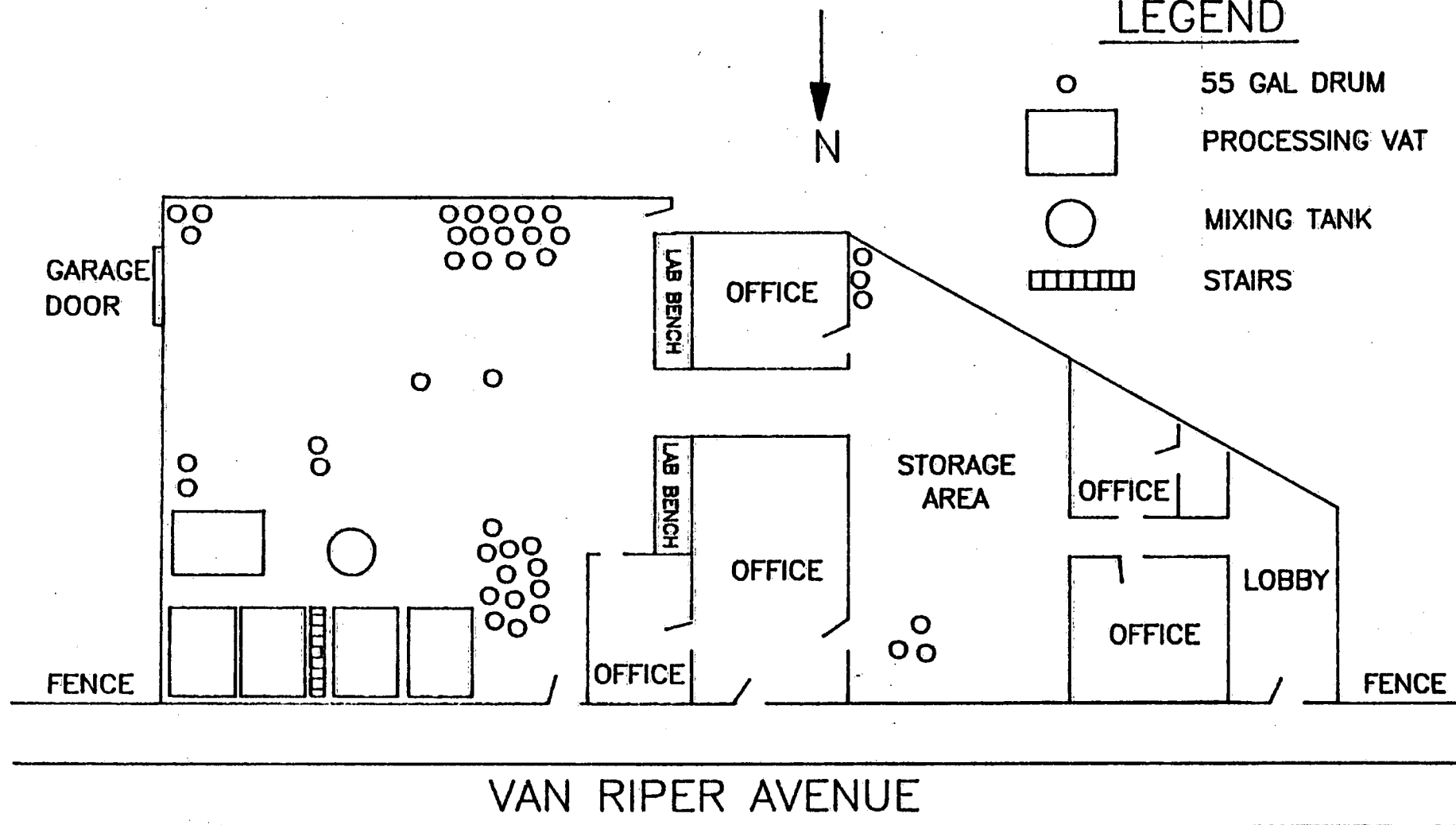
PROCESSING VAT



MIXING TANK



STAIRS



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EPA PM

D. Harrington

TAT PM

D. Belyung

Figure 3  
Building Interior

Drawing not to Scale